



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL.

ANDREW M. CUOMO  
Attorney General

CRIMINAL DIVISION  
Federal Habeas Corpus Section

March 14, 2008

Via Facsimile: 212-805-6382

Honorable Victor Marrero  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Suite 660  
New York, New York 10007

USDS SDNY  
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Re: Suce v. Taylor  
07 Civ. 8463 (VM)

Your Honor:

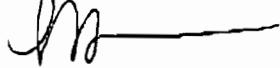
I represent the respondent in the above-referenced habeas corpus proceeding. I write respectfully to request an extension of time within which to file a response to the petition, from March 17<sup>th</sup> to May 16, 2008.

My request is necessary because I was assigned to the case just yesterday. The delay in assignment was apparently because our office did not receive the Rule 4 order until yesterday. But regardless of the reason for the delay, since I was only assigned to the case yesterday, I will need time to obtain the state court record. Moreover, my workload has been heavy - I have Second Circuit briefs due on March 21<sup>st</sup> (Dolphy v. Mantello 03-2738-pr) and April 21<sup>st</sup> (Larweth v. Conway, 07-3323-pr), and habeas petitions due on March 26<sup>th</sup> (Fayton v. Connolly, 06 Civ. 3685), April 1<sup>st</sup> (Thompson v. Ercole, 07-CV-1229 (NDNY)), April 4<sup>th</sup> (Kirk v. Burge, 07 Civ. 7467), and April 19<sup>th</sup> (Baker v. Lempke, 07-CV-1179 (NDNY)). Between now and May, I also hope to schedule surgery which will keep me from work for up to seven work days. In view of these circumstances, an extension of time would be greatly appreciated.

This is my first request for an extension. I have not contacted the petitioner to determine his position on my application as he is incarcerated and proceeding pro se. If this request is granted, I will try to file my response in advance of May 16<sup>th</sup>.

Thank you very much for your consideration.

Respectfully submitted,



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cc: Luciano Suce, 87-A4627  
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Request GRANTED. The time for respondent to respond or otherwise move with respect to the petition in this action is extended to 5-16-08.

SO ORDERED.

3-14-08  
DATE



VICTOR MARRERO, U.S.D.J.